

# Mapping the Steps Toward Economic Revitalization

*Introduction, Executive Summary,  
and Implementation Plan*

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**SUBMITTED TO**

District of Columbia Financial Responsibility  
and Management Assistance Authority

**IN RESPONSE TO**

RFP No. DCFRA #97-R-042

**SUBMITTED BY**

Holland & Knight LLP

Nathan Associates Inc.

The George Washington University Center for  
Public Financial Management

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## Introduction

Over the past two months, a team comprising the law firm Holland & Knight LLP, the economic consulting firm Nathan Associates Inc., and the George Washington University Center for Public Financial Management (the Team), working on behalf of the District of Columbia's Financial Responsibility and Management Assistance Authority (the Authority), reviewed all of the District of Columbia's regulations and many of its application and permitting processes. The purpose of the review was to identify reforms that will help the District government to significantly improve the District's economic environment by removing major regulatory impediments to economic development.

The District of Columbia remains the seat of the most powerful nation in the world, but it is recognized nearly worldwide for the inefficiencies and poor government services associated with its much-maligned local government. The problems attributed to the District government, both real and imagined, have caused many businesses and individuals (both within and outside the District) to conclude that the District of Columbia is not a good place to do business or to reside. In the wake of the District's diminishing residential and commercial populations and the contraction of the federal government, many of the District's problems have become further exacerbated. Notwithstanding these problems, the District enjoys a surging health care industry, a vibrant tourism industry, and a strong service sector with growing law firms, consulting firms, and construction companies. Add the MCI Center, a new convention center, and a growing regional economy to the mix and the District becomes a launching pad for economic growth. To achieve economic growth, the District government must find the regulatory path that allows it to protect its citizens without interfering with business expansion. Our Team has sought to identify for the Authority the regulatory reforms that we believe can meaningfully affect the revitalization of the District's economic environment.

In preparing our analyses, we have focused on identifying regulatory reforms that can be implemented cost-effectively and that satisfy criteria critical to improving the District's economy. Thus, we concentrated on reforms that we ranked highest in achieving a variety of public policy goals, including the following:

- Enhancing the potential profitability of significant sectors of the District's economy;
- Reducing or eliminating existing barriers to entry to businesses and individuals seeking to do business or seeking to expand their existing operations in the District;
- Encouraging new investment in the District by businesses and individuals currently in the District and in other jurisdictions;
- Promoting the creation of jobs within the District at a variety of wage and skill levels;
- Encouraging residents to continue to live in the District (and nonresidents to make the District their home);
- Increasing District government tax and other revenues, or reducing the use of District government resources, or both;
- Reducing or eliminating regulations that are duplicative, unenforceable, or incomprehensible or that fail to serve a meaningful governmental objective; and
- Increasing the efficiency of the District government in achieving its public functions and restoring the government's credibility.

## ORGANIZATION OF THE REPORT

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On the basis of these and other criteria, we prepared this document of 14 policy papers that describe the areas that we consider priorities for regulatory reform in the District. Following this introduction is an executive summary, which briefly describes each of the policy papers. The first two policy papers, “Land Use and Development” and “Regulation of Professional and Occupational Licenses,” provide a detailed analysis of the areas that we deem the highest priorities for reform. The remaining 12 policy papers summarize other important regulatory reforms that we identified, including, among others, reforms in real estate development, building and construction, entrepreneurial opportunities, and improved government efficiency. At the end of each paper is a plan for taking action on all the recommendations discussed in the paper. The District may find it cost-effective to outsource to private parties a number of the actions identified in these plans. Moreover, some of the actions identified in the plans may need to be performed consecutively rather than concurrently (e.g., actions pertaining to drafting of legislation and drafting and promulgation of regulations).

The reforms we propose in the policy papers are intended to help ensure that the regulations governing each of the relevant areas are

- Easier to understand, administer, and enforce;
- More predictable in application and outcome;
- Competitive with neighboring jurisdictions;
- Focused more heavily on serving the consumer;
- Less costly (in delays, uncertainty, and financial cost) to the business community and District residents; and
- Devoid of administrative burdens other than those reasonably and necessarily related to the protection of the public’s health, safety, and welfare.

## THE TEAM’S APPROACH

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Some of the reforms discussed in the policy papers were first proposed by others, including the Business and Regulatory Reform Commission (BRRC) and some of the District’s own departments and agencies. Throughout this project we have tried to build on, rather than replicate or replace, the important and insightful work of these other parties. Our Team, however, has tried to achieve an effective balance among the often conflicting interests, concerns, and needs expressed by the District business community, District residents, and District government officials. Moreover, we have focused our attention and resources on taking the existing analyses on land use and development and regulation of professional and occupational licenses from a level at which we identify the existing regulatory requirements and related problems to a level at which we identify reforms, make economic assessments of proposed reforms, and set forth specific plans for implementation.

If the proposed reforms are to be effective, they must be implemented within a framework of a coherent, comprehensive, and practical plan for economic development in the District. Such a plan must effectively identify and address both the District’s competitive advantages (e.g., unique location; local, regional, national,

and international markets; labor pool) and competitive disadvantages (e.g., government inefficiencies; unavailability of debt and equity financing; relatively high land and building costs). The plan must be developed, implemented, and updated in a manner that will ensure that it responds to the needs of the business community while preventing undue injury to the health, safety, and welfare of the general public. Moreover, the various District government departments and agencies must have available to them the tools required to implement the plan, including appropriate technology and appropriately qualified and trained staff.

We understand, of course, that regulatory reform alone will not be sufficient to remedy a number of the District's economic problems. In fact, many of the District's problems stem from factors largely unrelated to its regulatory environment (e.g., the District's limited taxing authority; the unique obligations imposed on the District as opposed to other cities; and serious managerial, operational, and organizational deficiencies in a number of critical District government departments and agencies, such as the police department and school system). We also recognize that many District residents may judge this government primarily by its ability to deliver essential city services, such as garbage pickup, pest control, and snow removal, and that regulatory reform may have a limited impact on these services. Nevertheless, we believe that a coordinated regulatory reform effort can and should meaningfully affect economic revitalization in the District.

## ACKNOWLEDGMENTS

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The work our Team has performed to date on behalf of the Authority has been completed with the invaluable assistance of many others. We would like to recognize some of the many individuals and groups that provided us with their thoughts, insights, and experiences on economic development in the District and other jurisdictions. These groups and individuals tried to take a constructive approach to addressing the District's regulatory problems. Although the list is too long to mention everyone, we would like to express special thanks to

- Daniel Rezneck, Esq., Dr. Gwen Flowers, and Saamir Kaiser, Esq., members of the Authority's staff, whose knowledge of District affairs and commitment to our Team's efforts are extraordinary.
- The many District government officials and Authority consultants who gave their time to help us gain an insider's perspective on the work of the District government; and
- The representatives of many business and consumer groups, trade associations, and other entities who communicated with us, including the Appleseed Center, District of Columbia Building Industry Association, National Consumers League, D.C. Chamber of Commerce, Federal City Council, D.C. Agenda, Committee of 100, Advisory Neighborhood Commissions, and BRRC. Each group shared with us its own particular frustrations and opinions about the District and its economic environment.

Although the views expressed in these papers are those of the Team and should not be attributed to any of the aforementioned parties, we believe that to the extent our work is found useful to the District and its government, credit properly belongs to everyone who helped us in this effort.<sup>1</sup>

## CONCLUSION

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We believe we have laid out a road map for regulatory reform. The reforms are designed to allow the District government to operate more efficiently and to remove regulatory hurdles from the road to economic growth. At the end of the road lies a strong, vibrant District economy. The next challenge is to design and build the road.

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<sup>1</sup>We would like to thank in particular the people who served as our informal editorial board including Joshua S. Wyner, Appleseed Center; Gregory Fazakerley, Development Resources, Inc. and Thomas Wilbur, John Ackridge Co. (DCBIA); Linda Golodner, Executive Director, National Consumers League; David Watts, Director, R. James Fagelson, Denzil Noble, Dwight Reeves, DCRA; Kwasi Holman, Executive Vice President, D.C. Chamber of Commerce; John Ferren, Corporation Counsel and Joan McKenzie, Esq., Office of Corporate Council; Kenneth R. Sparks, Executive Vice President, Federal City Council; James Gibson, President, D.C. Agenda; Richard Monteihl, Director, Department of Housing and Community Development; J. Kirkwood White, Esq., CEO, D.C. Research; Douglas J. Patton, Esq. and Harold Nelson, CarrAmerica (BRRC); Richard Nettler, Robbins, Kaplan, Miller & Ciresi; Peter Maszak, Esq. and Nathan Gross, Arnold & Porter; Tersh Boasberg, Chair, and Phil Mendelsohn, Esq., Committee of 100 on the Federal City; Joan Lewis, D.C. Hospital Association; Nicole Gara, American Academy of Physician Assistants; Jan Whitley, Esq., Medical Society of D.C.; Sheree Jamison, and Physician Assistant Advisory Board.

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## Executive Summary

The Team of Holland & Knight LLP, Nathan Associates Inc., and the George Washington University Financial Management Center believes that the District of Columbia has the potential to revitalize its economy and take its place among the nation's vital cities. Tourism is surging; the health care industry, as well as the rest of the service sector; is growing; and while a number of people are leaving, others are discovering that the District is a good place to live and work. By undertaking comprehensive regulatory reforms, as well as reforming the management, organization, and operations of a number of critical departments and agencies, the District can create a dynamic and thriving economic environment appropriate to the nation's capital.

District officials must take a proactive approach to build upon the city's comparative advantages and remedy its economic disadvantages. The Team recommends that the District focus its resources and efforts on

1. Ensuring that District government departments and agencies have management and staff who are appropriately qualified and trained; committed to the mission of their departments and agencies; accountable for their actions; and ready, willing, and able to significantly enhance the level of customer satisfaction with the work their departments and agencies perform.
2. Providing District government departments and agencies with the appropriate resources, both staff and technology, to effectively perform government functions and services in a manner consistent with the best practices in the country.
3. Preparing a comprehensive economic development plan that provides a well-articulated strategy for economic development in the District.
4. Developing a tax environment for businesses that is competitive with that in surrounding jurisdictions.
5. Creating a regulatory environment that promotes economic development through regulations that are (1) easy to understand, administer, and enforce; (2) predictable in application; (3) competitive with neighboring jurisdictions; (4) focused on consumer service rather than on processes; (5) less costly to the business community; and (6) devoid of unnecessary administrative burdens.

Reforms are currently under way for the first four goals. The Team has focused on the fifth goal—assisting the District in creating a regulatory environment that promotes economic development.

Many aspects of the District's regulatory environment are unnecessarily complex. The system is unwieldy to the business community and the District government officials responsible for enforcement. Moreover, many of the regulations impose significant costs, delays, and uncertainties on the business community without meaningful benefits to the public. The Team identified a number of regulatory reform priorities that we believe require prompt action. The Team divided them into two categories: highest priority reforms and high priority reforms.

The two highest priority reforms—land use and development and regulation of professions and occupations licensing—are of primary importance to anyone seeking to expand an existing business or start a new one in the District of Columbia. Given the choice between relatively efficient regulatory structures in Maryland and Virginia and an inefficient system in the District, many businesses have decided to locate

outside the District (particularly in Maryland and Virginia). The regulatory systems for land use and professional and occupational licenses impose severe burdens on the business community in cost, delay, and lack of predictability.

The 12 high priority reforms cover real estate development, building and construction, entrepreneurial opportunities, and improved government efficiency. The high priority reforms are significant, but somewhat less imperative, regulatory reform initiatives for the District. The two highest priority reforms are discussed first, followed by a description of the high priority reforms. Detailed analyses of these reform initiatives are provided in the 14 policy papers in this document.

## HIGHEST PRIORITY REFORM RECOMMENDATIONS

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### Land Use and Development

In the policy paper Land Use and Development, the Team first outlines the need for reform of the District's regulations to encourage construction of new buildings and increased occupancy, expansion, and rehabilitation of existing properties and businesses. Second, the Team identifies District regulations and procedures for development permits, the rezoning process, variances and special exceptions, large tract review, public space review, and historic preservation review.

The District's land use regulations desperately need reform. The District government takes an average of 3 months to process a building permit application for either commercial or residential projects. Neighboring jurisdictions take an average of 2 months to process a permit for a commercial project, and 2 to 4 weeks to process a permit for a residential project. The District's process for rezonings, special exceptions, and variances is even more out of line with suburban jurisdictions. Many developers, investors, lenders, and other business people are unwilling or unable to endure the costs, delays, and uncertainties associated with obtaining such approvals from the District. If the District is to attract new businesses and stem the flow of District businesses and residents to nearby jurisdictions, regulatory reform in land use and development is essential.

The Team recommends a series of regulatory and operational reforms that are intended to ensure that the highest and best uses of the District's land are achieved while minimizing the transaction costs associated with negotiating the District's regulatory processes for issuing the building permits and zoning variances required for real estate development. These reforms will result in local government oversight burdens that are comparable with those in neighboring jurisdictions and will reduce the cost of doing business in the District for real property developers and those who occupy their properties.

The Team's preliminary cost-benefit analysis shows large net economic benefits. The present value of these net benefits over a 10-year horizon is \$191 million. The message is clear: there is an economic imperative to implement reform in land use and development as soon as possible. A delay of 1 year will mean the District forgoes net benefits of \$15 million, and \$27 million with a delay of 2 years.

The policy paper on land use and development provides a road map for reforming the District's process for granting development permits, for rezonings, and for granting variances and special exceptions. The Team's recommendations for reforming these processes follow.



### *Development Permits*

- Create a streamlined development permit process that provides for (1) a single submission by applicants seeking development permits; (2) a customer assistance group and application acceptance center in the Building and Land Regulation Administration to assist in the completion and processing of development permit applications; (3) a single tracking number to track applications through all applicable reviews and inspections; (4) completion of development review processes (including zoning reviews) by District staff concurrently and within defined time periods; (5) completion of necessary inspections in a more efficient, coordinated manner; and (6) one of three different levels of review for development permits, depending on the type of permit required and the amount of building activity involved.
- Revise the zoning regulations to indicate (1) the specific circumstances under which a building plat or a subdivision plat is required, and (2) that subdivision plats and surveys do not have to be prepared by the Office of the Surveyor, but may be prepared by qualified private parties.
- Transfer permitting and construction inspection authority for the fire prevention code to the Building Official in the Department of Consumer and Regulatory Affairs (DCRA). Permit the Fire Chief to retain responsibility for all aspects of compliance with the fire prevention code.
- Permit DCRA to retain responsibility for enforcing environmental regulations that have an impact on land use rather than shifting this responsibility to the Department of Health.

### *Rezoning Process*

- Eliminate the set-down meeting for all owner-initiated rezoning applications.
- Provide for a schedule of rezoning hearings with specific filing cut-off dates.
- Revise the zoning regulations to provide for bench decisions on certain rezoning matters.
- Use standard order forms for bench decisions and simple orders.

### *Variances and Special Exceptions*

- Direct the Office of Zoning to accept Board of Zoning Adjustment (BZA) applications without certification by the Zoning Administration.
- Establish criteria to guide the granting of expedited hearings on variances and special exceptions in certain limited circumstances.
- Provide counseling at BLRA, before applications are filed, and at the Office of Planning, when recommendations are made to the BZA.
- Allow administrative granting of small percentage area variances.
- Increase the number of BZA members to allow for absences, or add a second panel of members to schedule hearing dates.

## **Regulation of Professions and Occupations**

The second highest priority for regulatory reform in the District is occupational and professional licensing. As the policy paper Regulation of Professions and Occupations indicates, health care and other service professions are among the five largest industrial groups in the District in terms of job production and

creation of gross regional product. Although the service professions and tradespeople play a significant role in the District's economy, many of these individuals have difficulty working in the District because of inefficient licensing and certification programs.

The many competent and well-qualified service professionals and tradespeople who currently work in Maryland and Virginia, as well as other nearby jurisdictions, should be encouraged to conduct their businesses in the District. Maryland, Virginia, and the District are part of an economic region. Unfortunately, the administrative burdens, time delays, and costs that these professionals experience as they try to obtain or renew professional and occupational licenses in the District often dissuade them from starting or expanding businesses in the District. As a result, the District loses important business opportunities for the city, and the pool of professionals and trades people available to District residents and businesses shrinks.

The Team believes that the District should regulate professions and occupations only to the extent necessary to protect the health, safety, and welfare of District citizens. The Team recommends that to the greatest extent practicable, the District should look to national and regional standards, particularly those of neighboring states, for licensing and certification requirements. It should not impose additional local requirements for licensing and certification unless there is a compelling reason to do so based on public health, safety, or welfare.

The Team recommends a series of regulatory and operational reforms designed to heighten the efficiency of the professional licensing process. These reforms are intended to ultimately reduce the transaction costs to receive approval to provide professional services in the District while maintaining the current level of protection of the health, safety, and welfare of its citizens and other consumers. Reforming the professional licensing practices of the District is a "highest" priority in any changes to the District's economic regulatory system, because these professionals and their associated firms and businesses play an increasingly important role in the economic life of the city. This is confirmed by the Team's preliminary economic cost-benefit analysis, which reveals the present value of net economic benefit of this particular set of changes to be \$20 million over a 10-year period. The magnitude of net benefits will be influenced by the pace of implementation of this particular set of regulatory reforms; a 1-year delay reduces net benefits by \$1.5 million.

Following are some of the principal reforms that the Team urges the Authority to support:

- Accept as evidence of qualification for similar licensure or certification in the District—to the maximum extent possible, provided that no disciplinary action is pending against the applicant—permit licensure or certification from Virginia and Maryland and other appropriate jurisdictions.
- Adopt uniform standards and procedures to regulate similar professions and occupations (the health care profession, which has had substantial success in unifying various licensing and certification procedures, is a good example).
- Streamline the application and renewal processes so that individuals can demonstrate their eligibility for licensure or certification with a minimum of difficulty.
- Establish a uniform policy to determine which professions and occupations will be regulated, as well as the appropriate degree of regulation.
- Undertake periodic review of the District's regulation of professions and occupations to determine whether (1) the regulations provide an appropriate degree of restrictions on affected parties and (2) separate regulatory frameworks for related professions and occupations can be combined.

- Develop uniform procedures for licensing boards that are created to establish professional standards for professions and occupations. The role of these boards should be limited to issues involving professional standards.
- Outsource, to the maximum extent possible, administrative functions for regulating professions and occupations.
- Convert the Occupational and Professional Licensing Administration from an entity performing mostly clerical functions to one that provides effective oversight of regulated professions and occupations.

## HIGH PRIORITY REFORM RECOMMENDATIONS

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### Real Estate Development

#### *Street and Alley Closings*

Development of real property in the District, particularly large or odd-shaped lots, often requires the closure of an existing street or alley that cuts across a portion of the property. In many instances, these streets and alleys exist only on paper or, if they actually do exist, they are useless or unnecessary. The street and alley closing process involves convoluted steps that can take years to complete, even in noncontroversial closings. The Team believes that the slow and uncertain pace of street and alley closings in the District discourages developers from undertaking development projects in the city.

The Team recommends the following proposed reforms:

- Remove from the public domain thoroughfares that exist only on paper, currently unused thoroughfares, and thoroughfares that are not likely to be needed for public purposes in the future.
- Amend existing legislation so that (1) street and alley closings might be accomplished by Council resolution rather than enactment of law, and (2) registered or licensed private surveyors have the authority to prepare proposed plats closing public thoroughfares that are deemed useless and unnecessary.
- Place the Office of the Surveyor, both organizationally and physically, within the DCRA.
- Develop mechanisms to assess the “fair value” of a street or alley’s benefit to an abutting property owner in instances in which the District is entitled to receive compensation for closing a public street or alley and the owner has requested such a closure.

#### *Environmental Regulations*

A number of requirements imposed under the District’s environmental laws and regulations are substantially more stringent than those imposed in Maryland and Virginia. These requirements cause property owners and others to incur significant costs and time delays with respect to environmental matters. They also generate substantial uncertainty about various parties’ potential liability for environmental matters and remediation responsibilities. The overall effect is to put the District at a competitive disadvantage with neighboring jurisdictions. The Team recommends that the Authority consider the following:

- Repeal or narrow the current Environmental Policy Act requirements for Environmental Impact Statements.

- Reform the District's regulations for underground storage tanks (UST) to make the District's program more consistent with UST programs in the nation.
- Permit the DCRA to retain responsibility for enforcing environmental regulations rather than transferring such responsibility to the Department of Public Health.

### ***Rent Control***

Heated debate surrounds the issue of rent control in the District. It represents a serious impediment to the ownership, operation, rehabilitation, and improvement of rental housing in the District. The Team explored the role of rent control in preserving the District's supply of affordable housing. On the basis of its findings, the Team recommends that the Authority support the following reforms:

- Promptly decontrol rents on units that are vacant, as well as units that become vacant in the future.
- Assess the impact on low-and moderate-income tenants of terminating rent control on all rental units, and either (1) phase out, within 2 to 3 years, rent control on all units, excluding those occupied by lower income, elderly tenants; or (2) substantially simplify and liberalize the procedural and substantive requirements for initiating rent increases.

### ***Sale and Conversion of Rental Housing***

The District's laws and regulations provide tenants with the right to purchase a rental property before it may be sold to a third party, discontinued from use, or demolished (Right of First Refusal). They also provide tenants the right, subject to the vote of a majority of tenants, to approve or deny the conversion of rental property to a condominium or cooperative (Conversion Approval Right). Like rent control, the proposed repeal of the Right of First Refusal and the Conversion Approval Right is a politically sensitive issue. However, the Team believes that these tenant rights wrongly discourage owners, investors, lenders, and others from undertaking transactions important to the District's economy and that they should be eliminated or drastically reduced.

The Team recommends that the Authority support the following reforms:

- Promptly repeal the Right of First Refusal. If repeal is deemed infeasible, the procedural requirements imposed on property owners under the right should be substantially reduced, and rental units owned by landlords who own four or fewer units in the District should be exempt from those rights.
- Assess the impact on low- and moderate-income tenants of repealing the Conversion Approval Right. After the study, either (1) repeal the right or (2) substantially reduce the procedural requirements imposed on property owners under the right, and exempt from the right rental units that are owned by landlords who own four or fewer units in the District.

## **Building and Construction**

### ***Adoption of Updated Construction Codes***

The District's construction and fire codes are out of date and inconsistent with nationally recognized standards and current building technology. These codes are critical to residential and commercial

development in the District, as well as the health, safety, and welfare of District residents. The deficiencies in the codes cause unnecessary confusion and inefficiencies for businesses trying to construct, modify, or expand buildings in the District. Moreover, the deficiencies impose significant delays and costs on contractors who want to do business in the District.

The Team recommends that the Authority

- Implement the updated, nationally recognized construction and fire codes.
- Develop a supplement to the updated codes that, according to specific criteria, incorporates only the changes required to address legitimate public needs in the District of Columbia.
- Establish a system for timely updating codes in the future.

### *Self-Certification in the Construction and Development Process*

Self-certification is an efficient and cost-effective method of implementing and enforcing some construction and development codes. Self-certification is a form of privatization that uses the services of certain qualified private professionals working in conjunction with District government officials to ensure that construction and development reviews are performed correctly.

The Team recommends that the Authority support the following reforms:

- Authorize "postcard permitting," which allows a number of trades to perform small construction or repair jobs without filing a formal application for a permit.
- Permit master electricians, plumbers, and certain others to certify that building plans meet code requirements (code inspections will still be performed by District government inspectors).
- Enable private surveyors to prepare building plats and subdivision plats.
- Allow licensed attorneys, architects, and others to certify the appropriate zoning relief needed in BZA actions.
- Permit applications for special exception and use variances to be filed without the Zoning Administrator's certification of the relief needed.

### *Code Enforcement Activities*

If the District intends to liberalize some of its regulations, tightening the enforcement of housing, fire, health, sanitation, zoning, and other codes is essential. The District lacks a routine code enforcement program to systematically address code violations. Moreover, a number of the District's codes provide such limited penalties that violators often have few incentives to comply with the codes or to correct violations.

The Team recommends that the Authority consider the following reforms:

- Establish a code enforcement program for routine inspections and inspections in response to consumer complaints. The program will be administered by multidisciplinary code enforcement teams.
- Enact measures allowing inspectors to cite violations of any of the numerous applicable housing codes.
- Amend the regulations to provide stiffer penalties for code violations (including increased daily penalties).

- Enact measures that establish deadlines for decisions by administrative law judges in code violation hearings.
- Provide for recording order relating to code violations in the land records.
- Allow for revocation of a property owner's housing business license if the owner is found to be in violation of certain housing code requirements.
- Provide for increased imposition and recording of liens on properties subject to code violations.
- Strengthen the process for civil enforcement of code violations.

## Entrepreneurial Opportunities

### *Business Licenses*

The District's business licensing process is an impediment to the establishment and growth of businesses in the city. The business licensing process is unnecessarily complex, costly, and time-consuming. It is perceived to be largely unresponsive to the business community. In many instances, both the public and the relevant government departments and agencies are unsure of which types of licenses apply to a given business (DCRA's Business Regulation Administration issues nearly 130 different types of business licenses). The process is viewed as particularly problematic for businesses, such as restaurants that are required to obtain multiple business licenses from a variety of District government offices.

The Team recommends that the Authority support the following reforms:

- Establish a master licensing system and a unique identifier for each registered business.
- Consolidate business licenses into a limited number of coherent categories, and combine or eliminate redundant licenses.
- Create a general business license category to ensure that all businesses in the District are registered.
- Maximize use of computerized systems and the Internet to make information on business licensing (as well as license applications) available to the public.
- Provide DCRA with authority and discretion to establish self-certification pilot programs for specific inspected industries.

### *Unemployment Insurance and Workers' Compensation*

The high unemployment insurance (UI) and workers' compensation (WC) benefits funded by the District's private employers, and the high transactional costs associated with the related claims adjudication processes, impose significant expenses on District employers. These expenses are particularly significant when compared with expenses imposed in Virginia and Maryland. Moreover, businesses often cite them as an important factor in their decision not to locate in the District.

In order to attract new businesses to the city and retain existing ones, the District must undertake cost containment reform of unemployment and worker's compensation programs, such as those described in detail in the policy paper. The Team urges the Authority to support the following recommendations:

- Direct the Department of Employment Services (DOES) to prepare the appropriate legislation and regulations to lower the costs of UI and WC to District employers so that these costs are competitive with costs in Maryland and Virginia.

- If DOES determines that Bill 12-192 (placed before the D.C. Council by the D.C. Chamber of Commerce to reform the WC program) accomplishes the goal of lowering the costs of UI and WC, the Authority should support passage of the bill; otherwise, DOES should recommend legislation to accomplish this goal.
- Reopen negotiations with DOES with the objective of reducing UI benefits and, therefore, costs to private employers.

### ***Street Vending***

Street vending is one of a number of small business enterprises that the District should encourage in the city. In addition to offering an entry point for small and micro businesses with low capital requirements, street vendors can benefit consumers by offering comparable goods at lower prices and convenient locations. They can also add a sense of vitality and diversity to the city and improve the quality of city life.

The Team believes that street vending may be encouraged by fair and consistent enforcement of regulations that (1) ensure the health and safety of consumers, (2) do not unduly infringe on fixed-location vendors' ability to compete, (3) do not impose unnecessary public costs (congestion, visual blight, and disposal of waste), and (4) do not impose unnecessary costs and burdens on street vendors.

The Team recommends that the Authority support the following reforms:

- Conduct a 2-year experiment to reduce the fee in lieu of taxes imposed on street vendors that locate in neighborhoods other than the central business district.
- Study the costs and benefits to the District of reducing substantially the \$1,500 fee in lieu of taxes, especially for vending outside the central business district.
- Practice fair and consistent enforcement of existing regulations.
- Increase the range of goods sold by street vendors by allowing any good to be sold as long as the good and the vendor meet other existing District regulations.
- Instruct the Department of Public Works or the Metropolitan Police Department to reassess whether the vendor locations that were eliminated around the MCI Center caused congestion.

## **Improved Government Efficiency**

### ***Privatization, Outsourcing, and Managed Competition***

Privatization, outsourcing, and managed competition are service delivery approaches that, if properly performed, can greatly enhance the customer satisfaction and cost-effectiveness of functions and services traditionally performed only by government employees. The District has eliminated many of the statutory and regulatory bars to such approaches. However, to date, the District has had limited success with initiating these valuable approaches to service delivery.

The Team recommends that the Authority

- Articulate a clear, strong commitment to these approaches to service delivery as part of its management reform strategy for the District and assign responsibility for their implementation—along with the necessary staff—to a senior official of cabinet rank or equivalent.

- Require the various consulting firms commissioned by the Authority to prepare operational audits of the District's core departments and agencies to identify functions and services that may be candidates for privatization, outsourcing, or managed competition. These candidate functions and services should be validated (and supplemented as appropriate) by agency and department heads and submitted through the Competition Council and the Chief Management officer to the Authority for approval and action.

### *Parking*

Traffic congestion and the competing demands for on-street parking in the District are important concerns to both residents and retail businesses. Commerce in the District depends heavily on curbside parking to enable businesses to receive and make deliveries as well as to make businesses and customers accessible to one another. District residents, tourists, and others who work in the District also rely heavily on the District's limited supply of on-street parking. In many areas in the District, residential parking concerns directly conflict with the needs of local businesses that require readily available on-street parking for customers and deliveries.

The Team recommends that the Authority support

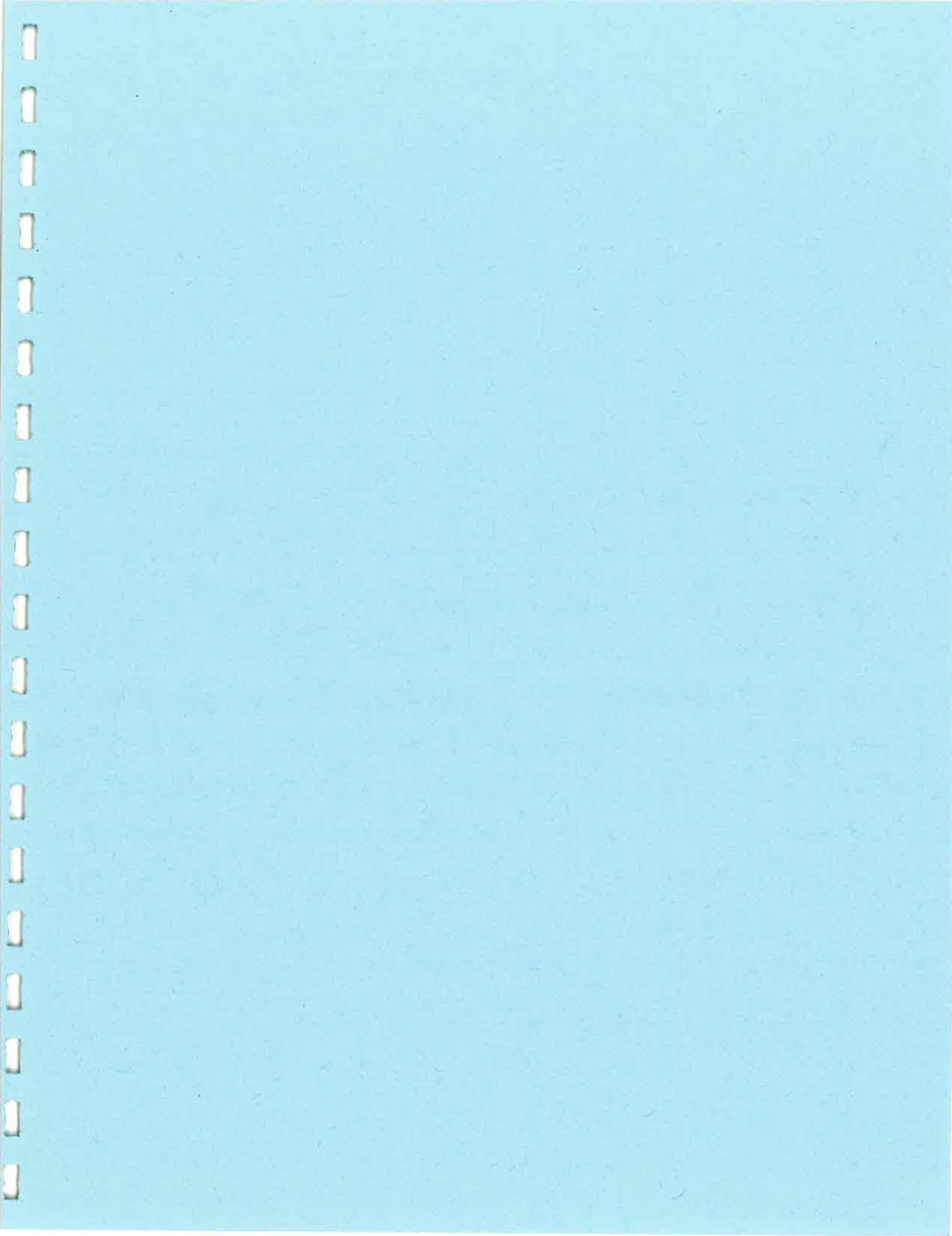
- Formulation by the Department of Public Works (DPW) of a plan that shows how DPW intends to address the District's competing parking needs. The plan should specifically identify District neighborhoods where the shortage of on-street parking spaces fails to satisfy the competing needs for curbside parking and traffic flow. (DPW should seek to replicate the Georgetown Neighborhood Parking Study in these neighborhoods.)
- Proposal of legislation by DPW to amend the D.C. Administrative Procedure Act to permit DPW to make changes in parking and traffic directives that are not substantial parking issues without a full-scale administrative rulemaking process.
- Promulgation of a new rule that permits issuance of temporary parking permits for medical necessity of up to 6 months rather than 60 days (and renewals if warranted by a resident's medical necessity).
- Evaluation of how motorists' use of off-street parking, such as parking provided by privately owned commercial garages and lots, can be encouraged and increased.

## **CONCLUSION**

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The regulatory reform priorities that the Team has identified are intended to address some of the most significant opportunities and challenges associated with living in, working in, and visiting the District of Columbia. The Team considers the District of Columbia a truly unique city with positive qualities and attributes like no other. While the Team recognizes that the District also has its problems, it also believes that the major reform efforts currently under way in the District can have a significant impact on the revitalization of the city and its economy





**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
<p><b>1. Systematize the statutory authority for the development permitting process</b></p>	<ul style="list-style-type: none"> <li>• Draft legislation to create a new section under the construction code section of the DC Code to authorize the issuance of construction permits, stating the purpose of the permitting process and providing guidance on how the process is to occur. See DC Code § 5-1300 <i>et seq.</i></li> <li>• Enact legislation to create a new section under the construction code section of the DC Code to authorize the issuance of construction permits, stating the purpose of the permitting process and providing guidance on how the process is to occur.</li> <li>• Draft legislation to move the development permitting process provisions from the Zoning provisions in the DC Code to the construction code provisions in the DC Code. See DC Code § 5-426 and DC Code § 1300 <i>et seq.</i></li> <li>• Enact legislation to move the development permitting process provisions from the Zoning provisions in the DC Code to the construction code provisions in the DC Code.</li> </ul>	<p>Office of Corporation Counsel and DCRA</p> <p>Council</p> <p>Office of Corporation Counsel</p> <p>Council</p>	<p>60 days</p> <p>60 days</p>
<p><b>2. Systematize the building permit regulations</b></p>	<ul style="list-style-type: none"> <li>• Draft and promulgate regulations and procedures to clearly delineate those procedures for which a permit is required and those procedures that are exempt from the permitting process. See 12 DCMR §§ 100, 101, and 111 (1992)</li> <li>• Draft and promulgate regulations and procedures to describe the permitting process, the types of permits, the situations in which they are required, the assistance available in understanding the process, the review time frames, the relationship with other agency reviews, and the appeal process. See 12 DCMR §§ 111 and 112 (1992).</li> <li>• Draft and promulgate regulations and procedures to allow for filing and approval of a building permit application, subject to review and approval by the appropriate board or commission. See 12 DCMR § 112 (1992).</li> </ul>	<p>DCRA</p> <p>DCRA</p> <p>DCRA</p>	<p>90 days</p> <p>90 days</p> <p>90 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
<p><b>3. Make the building permit process more user-friendly and efficient</b></p>	<ul style="list-style-type: none"> <li>• Draft and promulgate regulations and procedures establishing different permits based on the type and amount of activity involved. See 12 DCMR §§ 111, 112, 125, 126, and 127 (1992).</li> <li>• Draft and promulgate procedures for the review of building permit applications within logical (but not overly specialized) groups and provide that each group should receive cross-training in related groups. See 12 DCMR §§ 111 and 112 (1992).</li> <li>• Provide funding to increase the size of the staff reviewing building permits.</li> <li>• Draft and promulgate procedures whereby knowledgeable reviewers are designated from each reviewing section or agency to attend formal pre-application meetings as needed and supervisors are designated to resolve conflicts among agencies. See 12 DCMR § 111 (1992).</li> <li>• Draft and promulgate regulations and procedures to provide that the fire suppression/life safety inspection is a “close-in” inspection rather than a “final” inspection. See 12 DCMR § 115 (1992).</li> <li>• Clarify procedures so that not every inspector is required to reinspect a construction site at the final inspection so long as proper inspections can be conducted. See 12 DCMR § 115 (1992).</li> <li>• Draft and promulgate regulations and procedures establishing a customer assistance group to provide information on the permitting process, track the status of submitted permit applications and coordinate informal counseling and formal pre-application review meetings. See 12 DCMR §§ 111 and 112 (1992).</li> <li>• Draft and promulgate procedures for the assigning of a single tracking number for each permit application. Provide for</li> </ul>	<p>DCRA</p> <p>DCRA</p> <p>Council, Control Board DCRA, DPW</p> <p>DCRA</p> <p>DCRA, with assistance from DPW</p> <p>DCRA, with assistance from Officer of Planning and DPW</p> <p>DCRA</p>	<p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
	<p>access on the web (password protected). See 12 DCMR § 111 (1992).</p> <ul style="list-style-type: none"> <li>• Draft and promulgate procedures making the Application Acceptance Center responsible for sending submitting applications to other agencies for review. See 12 DCMR §§ 111 and 112 (1992).</li> <li>• Draft and promulgate regulations and procedures expanding the use of self-certification in the permit process. See 12 DCMR § 111 (1992).</li> <li>• Draft and promulgate regulations and procedures expanding the use of postcard permits in the permit process. See 12 DCMR § 111 (1992).</li> <li>• Draft and promulgate procedures for issuance of specialized permits and adjust the submission requirements based on the complexity of the requested permit. See 12 DCMR § 111 (1992).</li> <li>• Expand the existing application form packet to include a checklist of the steps required to obtain the type of permit requested, and a list of all required reviews, along with appeal options.</li> <li>• Provide a process for limited plan review where review outside the construction and zoning codes is not necessary. See 12 DCMR § 111 (1992).</li> <li>• Provide a process for expediting review of alterations to owner-occupied residential structures and small, uncomplicated commercial projects. See 12 DCMR § 111 (1992).</li> <li>• Draft and promulgate regulations and procedures establishing time frames for review and providing that resubmittals do not require full reviews and have a shorter time frame for review. See 12 DCMR § 111 (1992).</li> <li>• Draft and promulgate regulations adding a section to the</li> </ul>	<p>DCRA, with assistance from DPW</p> <p>DCRA</p> <p>DCRA</p> <p>DCRA</p> <p>DCRA</p> <p>DCRA</p> <p>DCRA</p> <p>DCRA</p>	<p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p>

## DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT

### Implementation Plan for Land Use and Development

Recommendation	Action	Responsible Party	Timeline
<p>4. Transfer fire safety plan review and construction inspection to DCRA</p> <p>5. Process raze permits without vacating the property</p>	<p>administrative portion of the construction codes to recognize the role of the zoning regulations in the construction permitting process.</p> <ul style="list-style-type: none"> <li>Draft and promulgate regulations and procedures to implement transfer of responsibility for permit plan review and construction inspection from the Fire Department and the Fire Marshall to DCRA. See 12 DCMR § 109 (1992)</li> <li>Amend regulations to eliminate the requirement that a building be vacant before a raze permit application can be filed. Retain requirement that the permit may not be granted until vacation.</li> </ul>	DCRA	90 days
	<ul style="list-style-type: none"> <li>Review the use of certificates of occupancy in the building permit process.</li> </ul>	DCRA	60 days
<p>6. Clarify the authority for and use of certificates of occupancy in the building permit process</p>	<ul style="list-style-type: none"> <li>Draft legislation clarifying the authority for use of Certificates of Occupancy. See DC Code §§ 5-426 and 5-1300 <i>et seq.</i></li> <li>Enact legislation clarifying the authority for the use of Certificates of Occupancy.</li> <li>If legislation is enacted regarding the use of certificates of occupancy in the building permit process, draft and promulgate regulations and procedures implementing the legislation. See 12 DCMR § 119 (1992), 11 DCMR § 3203, and 14 DCMR § 1400.</li> </ul>	Office of Corporation Counsel	90 days
<p>7. Certificates of Occupancy and code compliance</p>	<ul style="list-style-type: none"> <li>Draft amendments to the Building Code to eliminate code compliance inspections where Certificates of Occupancy are requested only for change of ownership or use. See 12 DCMR § 119 (1992), 11 DCMR § 3203, and 14 DCMR § 1400.</li> </ul>	Council	90 days
	<ul style="list-style-type: none"> <li>Provide funding for completion and maintenance of the</li> </ul>	DCRA	90 days
		Control Board	30 days

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
<p><b>8. Authorize private land surveyors to prepare subdivision plats and surveys</b></p>	<ul style="list-style-type: none"> <li>computerization of all certificates of occupancy.</li> <li>Draft legislation to authorize private land surveyors to prepare subdivision plats and surveys. See DC Code § 1-918 <i>et seq.</i></li> <li>Enact legislation to authorize private land surveyors to prepare subdivision plats and surveys.</li> <li>Draft and promulgate regulations and procedures to implement the authorization of private land surveyors to prepare subdivision plats and surveys.</li> <li>Draft and promulgate amendments to the zoning regulations to delete references to the building code process, but identifying a “Zoning Compliance Review” function that the Zoning Administrator would discharge. Clarify what is to be reviewed for zoning compliance and how the review fits into the construction permit review process. See 11 DCMR § 3202.</li> </ul>	<p>Office of Corporation Counsel</p> <p>Council</p> <p>Office of the Surveyor</p> <p>Zoning Commission</p>	<p>30 days</p> <p>90 days</p> <p>90 days</p> <p>150 days</p>
<p><b>9. Systematize the zoning process</b></p>	<ul style="list-style-type: none"> <li>Establish a taskforce to comprehensively review the zoning regulations.</li> </ul>	<p>Zoning Commission</p>	<p>90 days</p>
<p><b>10. Comprehensively review and update the Zoning Regulations</b></p> <p><b>11. Streamline rezonings, PUDs</b></p>	<ul style="list-style-type: none"> <li>Add additional staff and computer technology to accelerate the process of adopting map changes and regulations to conform to the District’s Comprehensive Plan.</li> <li>Draft and promulgate regulations and procedures eliminating the “set down” meeting in a developer-initiated rezoning, with the applicant provided the opportunity for a counseling meeting with the Office of Planning. See 11 DCMR §§ 3212.1 and 3010.2.</li> <li>Draft and promulgate regulations and procedures clarifying which rezoning applications are to be processed as contested case proceedings and which are to be processed as</li> </ul>	<p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p>	<p>150 days</p> <p>150 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
	<ul style="list-style-type: none"> <li>rulemaking. See 11 DCMR §§ 3212.5, 3021, and 3022.</li> <li>Draft and promulgate regulations and procedures standardizing the rezoning application submittal requirements. See 11 DCMR § 3013.</li> <li>Draft and promulgate regulations and procedures providing for the promulgation of a Zoning Commission hearing schedule with cut-off dates by which a complete application must be filed in order to be heard. See 11 DCMR § 3010.</li> <li>Draft and promulgate regulations and procedures providing for the scheduling of additional hearing dates for the Zoning Commission to review all applications filed in a timely manner. See 11 DCMR § 3005.</li> <li>Draft and promulgate regulations limiting cross examination by parties in opposition to matters the party has already identified in its prehearing request for party status as being in dispute. See 11 DCMR § 3022.</li> <li>Draft and promulgate regulations providing that continued or postponed application should be heard within thirty days unless the parties agree to a different time. See 11 DCMR § 3020.</li> <li>Draft and promulgate regulations providing strict time limits for the presentation of cases and oppositions. See 11 DCMR §§ 3020 and 3022.</li> <li>Draft and promulgate regulations and procedures to provide for the issuance of bench decisions by the Zoning Commission. See 11 DCMR § 3027.</li> <li>Draft and promulgate regulations and procedures establishing a consent agenda for the processing of non-contested applications by the Zoning Commission. See 11 DCMR § 3028.</li> <li>Draft amendments to the DC Code combining the separate provisions regarding notice requirements for public meetings</li> </ul>	<p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Office of Corporation Counsel</p>	<p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>30 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
	<p>before the Zoning Commission. DC Code §§ 5-417(a)(1) and 5-415.</p> <ul style="list-style-type: none"> <li>• Enact amendments to the DC Code combining the separate provisions regarding notice requirements for public meetings before the Zoning Commission.</li> <li>• Draft and promulgate regulations and procedures implementing the amendments to the DC Code combining the separate provisions regarding notice requirements for public meetings before the Zoning Commission. See 11 DCMR §§ 102.8 and 3014.</li> <li>• Draft and promulgate regulations and procedures providing that, where the number of units in a neighboring condominium or cooperative exceeds a certain number, applicants for a rezoning permit are only required to provide notice to condominium or cooperative board, rather than to each unit. See 11 DCMR §§ 3015.3 and 3003.5.</li> <li>• Draft and promulgate new regulations giving decision-making authority over non-controversial requests such as time extensions for building permits for PUDs, minor modifications and the like, to the staff of the Office of Zoning where possible.</li> <li>• If permitted under the Home Rule Charter, draft legislation to expand the composition of the Zoning Commission and authorize the use of alternates. See DC Code § 5-412.</li> <li>• If permitted under the Home Rule Charter, enact legislation to expand the composition of the Zoning Commission and authorize the use of alternates.</li> <li>• Draft legislation to permit sitting members of the Zoning Commission to continue, for one year past the end of their terms, to participate in cases commencing during their terms. See DC Code § 5-412.</li> <li>• Adopt legislation to permit sitting members of the Zoning</li> </ul>	<p>Council</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Office of Corporation Counsel</p> <p>Council</p> <p>Office of Corporation Counsel</p> <p>Council</p>	<p>90 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>30 days</p> <p>90 days</p> <p>30 days</p> <p>90 days</p>



**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
	<p>Commission to continue, for one year past the end of their terms, to participate in cases commencing during their terms.</p> <ul style="list-style-type: none"> <li>• If permitted under the Home Rule Charter, draft and promulgate regulations and procedures implementing legislation to expand the composition of the Zoning Commission and authorize the use of alternates. See 11 DCMR § 102.12.</li> <li>• Draft and promulgate procedures encouraging parties to a Zoning Commission hearing to submit proposed findings of fact and conclusions of law, including the preparation of standard order forms and checklist orders for potential use by the parties and the commission. See 11 DCMR §§ 3026 and 3028.</li> <li>• Draft and promulgate regulations and procedures authorizing the Zoning Commission Chair to sign Orders when the application is unopposed or the parties have agreed to the order. See 11 DCMR § 3028.</li> <li>• Institute a process for initiating the appointment and confirmation process of Zoning Commission members sufficiently far enough in advance of the end of the term of a predecessor so that the new member will be ready to take his or her seat as soon as it is vacated. See 11 DCMR § 102.12.</li> <li>• Institute a procedure for the Zoning Commission and the Board of Zoning Adjustment to issue explicit directions at the decision meeting as to conditions they are imposing on any decision to approve, particularly the acceptance, additions or deletions of proposed conditions already within the record of the case. See 11 DCMR § 3028.</li> <li>• Adopt procedures whereby full orders will be prepared within 45 days of a decision. See 11 DCMR § 3028.</li> <li>• Draft and promulgate regulations and procedures to require that a request for reconsideration of a Zoning Commission</li> </ul>	<p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Mayor</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p>	<p>150 days</p> <p>150 days</p> <p>150 days</p> <p>60 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
<p><b>12. Streamline variances and special exceptions.</b></p>	<p>order be made within ten days after the decision of the Commission, rather than ten days after formal adoption of the order. See 11 DCMR § 3029.</p> <ul style="list-style-type: none"> <li>• Draft and promulgate new regulations establishing a procedure for rapid “certification” of two copies of the approved plan.</li> <li>• Draft and promulgate regulations that revise the fees for zoning actions so that they do not substantially exceed the projected cost of conducting the proceedings. See 11 DCMR §§ 3040 and 3041.</li> <li>• Provide funding for the maintenance of computerized property and assessment records.</li> <li>• Draft and promulgate procedures to provide for pre-application counseling at the Building and Land Regulation Administration (BLRA), at the Office of Planning, and at the Office of Zoning so as to identify and remedy inappropriate, improper, or incomplete applications. See 11 DCMR § 3316.</li> <li>• Direct the Office of Zoning to accept BZA applications without certification by the Zoning Administrator.</li> <li>• Draft and promulgate regulations and procedures providing for the promulgation of a BZA hearing schedule with cut-off dates by which a complete application must be filed in order to be heard. See 11 DCMR §§ 3100 and 3306.</li> <li>• Draft and promulgate regulations and procedures providing for the scheduling of additional hearing dates for the BZA to review all applications filed in a timely manner. See 11 DCMR §§ 3100 and 3306.</li> <li>• Draft and promulgate regulations providing that continued or postponed application should be heard within thirty days unless the parties agree to a different time. See 11 DCMR §</li> </ul>	<p>Zoning Commission</p> <p>Zoning Commission</p> <p>Control Board and Office of Tax and Revenue</p> <p>DCRA, Zoning Commission</p> <p>Board of Zoning Appeals</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p>	<p>150 days</p> <p>150 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
	<p>3320.</p> <ul style="list-style-type: none"> <li>• Draft and promulgate regulations providing criteria for expedited hearings. See 11 DCMR § 3316.</li> <li>• Draft and promulgate regulations providing strict time limits for the presentation of cases and oppositions.</li> <li>• Draft and promulgate new regulations and procedures to provide for the issuance of bench decisions by the BZA.</li> <li>• Draft and promulgate regulations and procedures establishing a consent agenda for the processing of non-contested applications by the Zoning Commission. See 11 DCMR § 3331.</li> <li>• Draft and promulgate regulations and procedures providing that, where the number of units in a neighboring condominium or cooperative exceeds a certain number, applicants for variance or special exception are only required to provide notice to condominium or cooperative board, rather than to each unit. See 11 DCMR § 3317.</li> <li>• Draft and promulgate procedures encouraging parties to a BZA hearing to submit proposed findings of fact and conclusions of law, including the preparation of standard order forms and checklist orders for potential use by the parties and the commission.</li> <li>• Draft and promulgate regulations and procedures authorizing the BZA Chair to sign agreed Board Orders, so that such orders do not require approval by the full Board after preparation.</li> <li>• Draft and promulgate regulations and procedures to require that a request for reconsideration of a BZA order be made within ten days after the decision of the Board, rather than ten days after formal adoption of the order.</li> <li>• Draft and promulgate regulations and procedures to establish criteria for the use of expedited processing by the BZA,</li> </ul>	<p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p>	<p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
	<p>ensuring that such expedited processing does not result in removing another petition from the hearing agenda.</p> <ul style="list-style-type: none"> <li>• Draft and promulgate regulations and procedures to establish a process to ensure that all continued or postponed application hearings before the BZA are heard at the next scheduled hearing, unless a different time is agreed to by the parties. See 11 DCMR § 3326.</li> <li>• Enforce the requirement that all parties in opposition to a BZA application file written submissions in advance of the hearing.</li> <li>• Draft legislation to expand the composition of the BZA and authorize the use of alternates.</li> <li>• Enact legislation to expand the composition of the BZA and authorize the use of alternates.</li> <li>• Draft and promulgate regulations and procedures implementing legislation to expand the composition of the BZA and authorize the use of alternates.</li> <li>• Place reasonable limits on how long an individual may speak at a BZA meeting.</li> <li>• Draft and promulgate regulations providing that full orders of the BZA must be prepared within 60 days of a decision. See 11 DCMR § 3331.</li> <li>• Draft and promulgate new regulations establishing a procedure for rapid “certification” of two copies of the approved plan.</li> <li>• Propose and consider new regulations and procedures granting the Zoning Administrator the flexibility to approve, where good cause is shown, (1) discrepancies in survey or foundation placement, which do not exceed 2% of the required area standards or (2) linear requirements by up to 6 inches, whichever is greater.</li> <li>• Draft and promulgate new regulations combining the BZA</li> </ul>	<p>Zoning Commission</p> <p>Zoning Commission</p> <p>Office of Corporation Counsel Council</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p> <p>Zoning Commission</p>	<p>150 days</p> <p>Immediately</p> <p>30 days</p> <p>90 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p> <p>150 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Land Use and Development**

Recommendation	Action	Responsible Party	Timeline
<p><b>13. Streamline the use of covenants</b></p>	<p>regulations in Chapters 31 and 33 of DCMR.</p> <ul style="list-style-type: none"> <li>• Draft and promulgate a legal opinion on the use of covenants by the District and draft appropriate legislation.</li> <li>• Enact legislation to codify the proper use of covenants by the District.</li> <li>• Draft and promulgate any changes needed regarding the use of covenants in zoning procedures resulting from the enacted legislation.</li> </ul>	<p>Office of Corporation Counsel Council Zoning Commission</p>	<p>90 days 90 days 150 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Regulation of Professions and Occupations**

Recommendation	Action	Responsible Party	Time Frame	
Adopt uniform policy for regulation of professions and occupations, including factors related to degree of regulation, selection of board members, and uniform board procedures	Draft uniform policy law (Section 303 of the Omnibus Regulatory Reform Amendment Act of 1997, Bill 12-458, First Reading on December 22, 1997, addresses the issue of appointment of members)	Office of Corporation Counsel	30 days	
	Enact uniform policy law (see DC Code Title 2)	Council	90 days	
	Draft and promulgate implementing regulations (see 17 DCMR)	OPLA/DCRA	90 days	
	Remove artificial barriers to entry	Individual boards	60 days	
	Adopt national or regional standards	Review professional standards for artificial barriers to entry	OPLA/DCRA	90 days
		Draft and promulgate regulations and related provisions removing artificial barriers to entry as necessary	Individual boards	60 days
	Accept licensure or certification from other jurisdictions with similar or higher requirements	Review professional standards for use of national or regional standards	OPLA/DCRA	60 days
		Compare national or regional standards to District standards	OPLA/DCRA	90 days
		Draft and promulgate regulations and related provisions to adopt national or regional standards as necessary (see 17 DCMR)	Individual boards and OPLA/DCRA	60 days
		Draft and promulgate regulations and related provisions to accept licensure from identified jurisdictions (see 17 DCMR)	OPLA/DCRA	90 days

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Regulation of Professions and Occupations**

Recommendation	Action	Responsible Party	Time Frame
Establish amnesty period to bring noncompliant persons into compliance	Draft amnesty law (see DC Code Title 2)	Office of Corporation Counsel	30 days
Computerize OPLA records	Enact amnesty law Provide funding to acquire necessary hardware and software Acquire necessary hardware and software Input record data	Council Council OPLA/DCRA OPLA/DCRA	90 days 90 days 120 days 160 days
Negotiate reciprocity agreements with other jurisdictions	Negotiate reciprocity agreements with other jurisdictions to the extent they are not currently in place (Sections 304, 305, and 306 of Bill 12-458 address this issue for three boards)	Individual boards and OPLA/DCRA	120 days
Ensure that District standards are at least as high as the national standard, but no higher than is necessary	Compare standards for each regulated profession and occupation against the national standard Draft and promulgate new standards as necessary	Individual boards OPLA/DCRA, with assistance from individual boards	60 days 90 days
Develop arrangements with other jurisdictions for rapid and efficient verification of licensure or certification	Negotiate working with other jurisdictions as necessary to provide for rapid and efficient verification of licensure or certification (electronically to the extent possible) Draft and promulgate procedures implementing verification process (see 17 DCMR)	OPLA/DCRA OPLA/DCRA	90 days 90 days
Computerize local tests, to the extent that they are used	Computerize local tests, if used, so that testing and evaluation may be performed electronically	OPLA/DCRA, with assistance from individual boards	90 days

DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT

Implementation Plan for Regulation of Professions and Occupations

Recommendation	Action	Responsible Party	Time Frame
Streamline application process	<p>Draft and promulgate regulations and procedures so that an applicant is assessed only one fee for the entire licensure or certification process, rather than several fees at different stages in the process (see 17 DCMR)</p> <p>Computerize application process to maximum extent possible, including the placement of forms and instructions on the Internet</p> <p>Routinely make available to applicants the names, addresses, telephone numbers, and telefax numbers of licensing and certifying boards in other jurisdictions</p> <p>Regularly inform the applicant about the status of the application</p>	OPLA/DCRA	90 days
Codify authority for regulation of all professions and occupations	<p>Amend the regulations and procedures as necessary to authorize the staff to issue licenses and certificates to qualified applicants (see 17 DCMR)</p> <p>Draft legislation authorizing regulation of professions and occupations currently without such statutory authority (i.e., electricians) (see DC Code Title 2)</p> <p>Enact legislation authorizing regulation of those professions and occupations currently without such statutory authority (i.e., electricians)</p>	OPLA/DCRA, with assistance from individual boards Office of Corporation Counsel Council	90 days 30 days 90 days
Convert land surveying from registered profession to licensed profession	<p>Draft legislation authorizing licensure of land surveyors (see DC Code Title 2 and 19 DCMR Chapter 23)</p> <p>Enact legislation authorizing licensure of land surveyors</p>	Office of Corporation Counsel Council	30 days 90 days



Implementation Plan for Regulation of Professions and Occupations

Recommendation	Action	Responsible Party	Time Frame
<p>Draft and promulgate regulations and procedures for licensure of land surveyors</p>	<p>Draft and promulgate regulations and procedures for licensure of land surveyors</p>	<p>OPLA/DCRA</p>	<p>90 days</p>
<p>Constitute Board of Land Surveyors</p>	<p>Constitute Board of Land Surveyors</p>	<p>Mayor and OPLA/DCRA</p>	<p>90 days</p>
<p>Draft and promulgate professional standards for land surveyors (see 19 DCMR Chapter 23)</p>	<p>Draft and promulgate professional standards for land surveyors (see 19 DCMR Chapter 23)</p>	<p>Board of Land Surveyors and OPLA/DCRA</p>	<p>90 days</p>
<p>Outsource clerical functions of licensing and certification and convert OPLA to a group providing needed oversight to regulated professions and occupations</p>	<p>Contract with private entities for the performance of clerical functions related to licensing and certification of professions and occupations, retaining District ownership rights of the data and the software used to manipulate the data</p>	<p>OPLA/DCRA</p>	<p>210 days</p>
<p>Revise licensing and certification procedures as necessary to reflect outsourcing of clerical functions</p>	<p>Revise licensing and certification procedures as necessary to reflect outsourcing of clerical functions</p>	<p>OPLA/DCRA, with assistance from individual boards</p>	<p>90 days</p>
<p>Provide OPLA/DCRA with funding to hire sufficient investigatory and legal staff to assist boards in taking vigorous and timely action in response to allegations of incompetence on the part of members of regulated professions and occupations</p>	<p>Provide OPLA/DCRA with funding to hire sufficient investigatory and legal staff to assist boards in taking vigorous and timely action in response to allegations of incompetence on the part of members of regulated professions and occupations</p>	<p>Council</p>	<p>90 days</p>
<p>Hire sufficient investigatory and legal personnel to assist boards in taking vigorous and timely action in response to allegations of incompetence on the part of members of regulated professions and occupations</p>	<p>Hire sufficient investigatory and legal personnel to assist boards in taking vigorous and timely action in response to allegations of incompetence on the part of members of regulated professions and occupations</p>	<p>OPLA/DCRA</p>	<p>90 days</p>
<p>Establish Industrial Trades Board</p>	<p>Draft legislation to establish Industrial Trades Board and disestablish separate boards for electricians, refrigeration and air conditioning mechanics, steam and other operating engineers, plumbers, and gas fitters (see DC Code Title 2)</p>	<p>Office of Corporation Counsel</p>	<p>30 days</p>

DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT

Implementation Plan for Regulation of Professions and Occupations

Recommendation	Action	Responsible Party	Time Frame
Establish program of regular oversight of professional and occupational boards	<p>Enact legislation to establish Industrial Trades Board and disestablish separate boards for electricians, refrigeration and air conditioning mechanics, steam and other operating engineers, plumbers, and gas fitters</p> <p>Draft and promulgate regulations and procedures to implement legislation establishing Industrial Trades Board and disestablishing separate boards for electricians, refrigeration and air conditioning mechanics, steam and other operating engineers, plumbers, and gas fitters (see 17 DCMR)</p> <p>Constitute the Industrial Trades Board</p>	Council	90 days
Abolish nonfunctioning and unneeded boards and commissions	<p>Draft legislation establishing oversight program, including provision that recommendations of OPLA/DCRA about consolidation of boards will be automatically adopted unless rejected or modified by the Council within 90 days of submittal (see DC Code Title 2)</p> <p>Enact legislation establishing oversight program, including provision that recommendations of OPLA/DCRA about consolidation of boards will be automatically adopted unless rejected or modified by the Council within 90 days of submittal</p> <p>Draft and promulgate implementing regulations and procedures (see 17 DCMR)</p> <p>Draft legislation requiring boards and commissions (other than those providing direct oversight to professions and occupations) to submit reports justifying their continuance</p>	<p>OPLA/DCRA, with assistance from individual boards</p> <p>Mayor and OPLA/DCRA</p> <p>Office of Corporation Counsel</p> <p>Council</p> <p>OPLA/DCRA</p> <p>Office of Corporation Counsel</p>	<p>90 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Regulation of Professions and Occupations**

Recommendation	Action	Responsible Party	Time Frame
	Enact legislation requiring boards and commissions (other than those providing direct oversight to professions and occupations) to submit reports justifying their continuance	Council	90 days
	Abolish boards and commissions (other than those providing direct oversight to professions and occupations) that failed to submit reports justifying their continuance within time limit	Council	90 days
	Obtain outside study of public purpose served by each remaining board and commission (other than those providing direct oversight to professions and occupations)	Authority	90 days
	Abolish all remaining boards and commissions that no longer serve an important public purpose (Section 301 of Bill 12-458 abolishes some boards and commissions)	Council	90 days

DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT

Implementation Plan for Street and Alley Closings

Recommendation	Action	Responsible Party	Time Frame
Close unneeded streets and alleys	Determine which District streets and alleys are not needed for public purposes and are not likely to be needed in the foreseeable future	District Surveyor	90 days
Streamline the street and alley closing process	<p>Close unneeded streets and alleys</p> <p>Draft legislation providing for the closing of streets and alleys by Council Resolution, rather than by Act of Council</p> <p>Enact legislation providing for the closing of streets and alleys by Council Resolution, rather than by Act of Council</p> <p>Draft and promulgate regulations and procedures to accelerate the review process related to street and alley closing by the Office of Corporation Counsel, District agencies, and private utility companies that may have easements in or otherwise use a street or alley</p> <p>Draft legislation transferring the Surveyor's Office to the Department of Consumer and Regulatory Affairs (DCRA)</p> <p>Enact legislation transferring the Surveyor's Office to the Department of Consumer and Regulatory Affairs (DCRA)</p> <p>Draft and promulgate regulations and procedures implementing the legislation transferring the Surveyor's Office to the Department of Consumer and Regulatory Affairs (DCRA)</p> <p>Prepare a model street and alley closing resolution for use by private practitioners</p> <p>Draft legislation authorizing private land surveyors to prepare plats</p> <p>Enact legislation authorizing private land surveyors to prepare plats</p>	<p>Council</p> <p>Office of Corporation Counsel</p> <p>Council</p> <p>District Surveyor, with assistance from the Office of Corporation Counsel</p> <p>Office of Corporation Counsel</p> <p>Council</p> <p>DCRA, with assistance from the District Surveyor</p> <p>Office of Corporation Counsel</p> <p>Office of Corporation Counsel</p> <p>Council</p>	<p>90 days</p> <p>30 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p> <p>30 days</p> <p>90 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Street and Alley Closings**

Recommendation	Action	Responsible Party	Time Frame
Review the housing linkage program	Draft and promulgate regulations and procedures implementing the legislation authorizing private land surveyors to prepare plats Review the housing linkage program as it relates to street and alley closing and to the planned unit development process	Office of the Surveyor Council	90 days 90 days

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Environmental Regulations**

Recommendation	Action	Responsible Party	Time Frame
Repeal or substantially narrow the District of Columbia Environmental Policy Act	Draft legislation to repeal or substantially narrow the District of Columbia Environmental Policy Act	Office of Corporation Counsel, with assistance from the Environmental Regulation Administration (DCRA-ERA)	30 days
	Enact legislation to repeal or substantially narrow the District of Columbia Environmental Policy Act	Council	90 days
	Draft and promulgate regulations and procedures implementing the legislation repealing or substantially narrowing the District of Columbia Environmental Policy Act	DCRA-ERA	90 days
Streamline the underground storage tank program	Draft legislation streamlining the underground storage tank (UST) program, including the implementation of a risk-based corrective action program for releases, authorization to issue No Further Action and No Association determinations, elimination of the annual UST registration requirement, and other changes deemed appropriate	Office of Corporation Counsel, with assistance from DCRA-ERA	30 days
	Enact legislation streamlining the underground storage tank (UST) program, including the implementation of a risk-based corrective action program for releases, authorization to issue No Further Action and No Association determinations, elimination of the annual UST registration requirement, and other changes deemed appropriate	Council	90 days
	Draft and promulgate regulations and procedures implementing the legislation streamlining the underground storage tank (UST) program, including the implementation of a risk-based corrective action program for releases, authorization to issue No Further Action and No Association determinations, elimination of the annual UST registration requirement, and other changes deemed appropriate	DCRA-ERA	90 days

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Rent Control**

Recommendation	Action	Responsible Party	Time Frame
Analyze the rent control reforms recommended by the BRRRC	Appropriate funds to hire an expert to analyze the rent control reforms recommended by the BRRRC	Council	90 days
Streamline the rent adjustment process	Hire an expert to analyze BRRRC rent control reforms, addressing in particular the likely economic and social impact of such implementation on the District's low- and moderate-income residents	DCRA	90 days
	Draft legislation to streamline (or eliminate, where appropriate) registration and petition requirements and other administrative procedures associated with the rent adjustment process	Office of Corporation Counsel, with assistance from DCRA and DHCD	30 days
	Enact legislation to streamline (or eliminate, where appropriate) registration and petition requirements and other administrative procedures associated with the rent adjustment process	Council	90 days
Develop a comprehensive housing plan	Draft and promulgate regulations and procedures implementing the legislation streamlining (or eliminating, where appropriate) registration and petition requirements and other administrative procedures associated with the rent adjustment process	DCRA	90 days
	Draft legislation establishing a task force to develop a comprehensive housing plan	Office of Corporation Counsel	30 days
	Enact legislation establishing a task force to develop a comprehensive housing plan	Council	90 days
	Enact legislation funding the housing plan task force	Council	90 days
Review and implement the recommendations of the housing plan task force	Serve on and assist the housing plan task force	DCRA, DHCD, DC Housing Authority and other involved agencies	180 days
	Review and implement the recommendations of the housing plan task force	Council	90 days

Implementation Plan for Sale and Conversion of Rental Housing

Recommendation	Action	Responsible Party	Time Frame
Abolish the Tenants' Right of First Refusal	<p>Draft legislation to repeal the Tenants' Right of First Refusal law, replacing it with a requirement that owners notify tenants well in advance of any change in a property's ownership or rental rates</p> <p>Enact legislation to repeal the Tenants' Right of First Refusal law, replacing it with a requirement that owners notify tenants well in advance of any change in a property's ownership or rental rates</p>	Office of Corporation Counsel	30 days
Streamline the notice requirements related to the Tenants' Conversion Approval Right	<p>Draft and promulgate regulations and procedures implementing the legislation repealing the Tenants' Right of First Refusal law, replacing it with a requirement that owners notify tenants well in advance of any change in a property's ownership or rental rates</p> <p>Draft legislation substantially reducing the procedural requirements imposed upon owners of rental property with regard to the Tenants' Conversion Approval Right</p>	Council	90 days
Streamline the notice requirements related to the Tenants' Conversion Approval Right	<p>Draft and promulgate regulations and procedures implementing the legislation repealing the Tenants' Right of First Refusal law, replacing it with a requirement that owners notify tenants well in advance of any change in a property's ownership or rental rates</p> <p>Draft legislation substantially reducing the procedural requirements imposed upon owners of rental property with regard to the Tenants' Conversion Approval Right</p>	DCRA	90 days
Streamline the notice requirements related to the Tenants' Conversion Approval Right	<p>Draft legislation substantially reducing the procedural requirements imposed upon owners of rental property with regard to the Tenants' Conversion Approval Right</p> <p>Enact legislation substantially reducing the procedural requirements imposed upon owners of rental property with regard to the Tenants' Conversion Approval Right</p>	Office of Corporation Counsel	30 days
Streamline the notice requirements related to the Tenants' Conversion Approval Right	<p>Draft and promulgate regulations and procedures implementing the legislation substantially reducing the procedural requirements imposed upon owners of rental property with regard to the Tenants' Conversion Approval Right</p> <p>Enact legislation substantially reducing the procedural requirements imposed upon owners of rental property with regard to the Tenants' Conversion Approval Right</p>	Council	90 days
Analyze the impact of repeal of the Tenants' Conversion Approval Right	<p>Appropriate funds to hire an expert to analyze the likely social and economic impact of repeal of the Tenants' Conversion Approval Right</p>	DCRA	90 days
Analyze the impact of repeal of the Tenants' Conversion Approval Right	<p>Appropriate funds to hire an expert to analyze the likely social and economic impact of repeal of the Tenants' Conversion Approval Right</p>	Council	90 days



**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Sale and Conversion of Rental Housing**

Recommendation	Action	Responsible Party	Time Frame
Streamline the process for sale or conversion of rental properties	<p>Hire an expert to analyze the impact of repeal of the Tenants' Conversion Approval Right, addressing in particular the likely economic and social impact of such implementation on the District's low- and moderate-income residents</p> <p>Draft legislation to streamline the process for sale or conversion of rental properties in the District</p> <p>Enact legislation to streamline the process for sale or conversion of rental properties in the District</p> <p>Draft and promulgate regulations and procedures implementing the legislation streamlining the process for sale or conversion of rental properties in the District</p>	<p>DCRA</p> <p>Office of Corporation Counsel, with assistance from DCRA</p> <p>Council</p> <p>DCRA</p>	<p>90 days</p> <p>30 days</p> <p>90 days</p> <p>90 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Adoption of Updated Construction Codes**

Recommendation	Action	Responsible Party	Time Frame
Provide for adoption of updated construction codes	Draft legislation providing for the adoption of updated construction codes	Office of Corporation Counsel	30 days
	Enact legislation providing for the adoption of updated construction codes	Council	90 days
	Draft and promulgate regulations and procedures implementing the legislation providing for the adoption of updated construction codes	DCRA	90 days
	Draft and promulgate District-specific amendments and exceptions to the BOCA and Fire Codes as appropriate	DCRA/BLRA	continually
	Provide training on the BOCA and Fire Codes and the District-specific amendments and exceptions to the technical review staff and the inspectors	DCRA/BLRA	continually

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Self-Certification in the Construction and Development Process**

Recommendation	Action	Responsible Party	Time Frame
Expand the postcard permit process	Draft legislation expanding the postcard permit process to include electricians, architects, and professional engineers Enact legislation expanding the postcard permit process to include electricians, architects, and professional engineers	Office of Corporation Counsel	30 days
Authorize private land surveyors to prepare building plats	Draft and promulgate regulations and procedures implementing the legislation expanding the postcard permit process to include electricians, architects, and professional engineers Draft legislation authorizing private land surveyors to prepare building plats required in connection with the filing of construction permits	Council DCRA Office of Corporation Counsel, with assistance from the District Surveyor	90 days 90 days 30 days
Improve the Office of the District Surveyor	Enact legislation authorizing private land surveyors to prepare building plats required in connection with the filing of construction permits Draft and promulgate regulations and procedures implementing the legislation authorizing private land surveyors to prepare building plats required in connection with the filing of construction permits Fund the hiring of additional survey teams for the Office of the Surveyor to, among other things, reestablish the monument markers on the corners of the squares Fund the acquisition of computer hardware and software to computerize the records of the Office of the Surveyor	Council DCRA, with assistance from the District Surveyor Council	90 days 90 days 90 days
Utilize self-certification for applications for special permits and zoning variances	Draft and promulgate regulations and procedures authorizing the Board of Zoning Adjustments to process applications for special permits and zoning variances without first securing a letter from the Zoning Administrator when a District-licensed attorney or architect has provided written certification for the relief needed	Council DCRA	90 days 90 days

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Self-Certification in the Construction and Development Process**

Recommendation	Action	Responsible Party	Time Frame
Streamline the construction code	Draft and promulgate regulations and procedures streamlining the District construction code	DCRA	90 days
Improve the efficiency of the Zoning Desk	Draft and promulgate procedures improving the efficiency of the zoning desk by, among other things, allowing technicians stationed at the desk to perform other tasks when they are not otherwise busy processing zoning applications	DCRA	immediately

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Code Enforcement Activities**

Recommendation	Action	Responsible Party	Time Frame
Establish multidisciplinary code enforcement program	<p>Draft legislation authorizing housing inspectors to cite violations of codes pertaining to housing, building, fire, electrical, plumbing, mechanical, gas, licensing, zoning, public space, vacant property, garbage and trash, and abandoned vehicles</p> <p>Enact legislation authorizing housing inspectors to cite violations of codes pertaining to housing, building, fire, electrical, plumbing, mechanical, gas, licensing, zoning, public space, vacant property, garbage and trash, and abandoned vehicles</p>	Office of Corporation Counsel	30 days
Systematize housing code enforcement program	<p>Draft and promulgate regulations for implementing legislation authorizing housing inspectors to cite violations relating to housing, building, fire, electrical, plumbing, mechanical, gas, licensing, zoning, public space, vacant property, garbage and trash, and abandoned vehicles</p> <p>Establish multidisciplinary enforcement teams to perform both routine housing inspections and housing inspections in response to complaints</p> <p>Draft and promulgate procedures providing for notice of violations to be promptly provided to owners of property not in compliance with the housing code</p> <p>Draft legislation authorizing the assessment of fines against property owners for each day the property is not in compliance with the housing code and authorizing liens against the property if the fine is not paid</p> <p>Enact legislation authorizing the assessment of fines against property owners for each day the property is not in compliance with the housing code and authorizing liens against the property if the fine is not paid</p>	<p>Council</p> <p>DCRA</p> <p>DCRA</p> <p>DCRA</p> <p>Office of Corporation Counsel</p> <p>Council</p>	<p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>90 days</p> <p>30 days</p> <p>90 days</p>

Implementation Plan for Code Enforcement Activities

Recommendation	Action	Responsible Party	Time Frame
Systematize the housing code violation hearing process	<p>Draft and promulgate regulations and procedures for implementing the legislation authorizing the assessment of fines against property owners for each day the property is not in compliance with the housing code and authorizing liens against the property if the fine is not paid</p> <p>Investigate whether the District's civil infraction system should be expanded to include the code enforcement process</p> <p>Draft legislation to provide that the housing code violation hearing is to be conducted as a quasi-judicial process before an Administrative Law Judge or Attorney Examiner</p> <p>Enact legislation to provide that the housing code violation hearing is to be conducted as a quasi-judicial process before an Administrative Law Judge or Attorney Examiner</p> <p>Draft and promulgate regulations and procedures for implementing the legislation providing that the housing code violation hearing is to be conducted as a quasi-judicial process before an Administrative Law Judge or Attorney Examiner</p>	<p>DCRA</p> <p>DCRA</p> <p>Office of Corporation Counsel</p> <p>Council</p> <p>DCRA</p>	<p>90 days</p> <p>90 days</p> <p>30 days</p> <p>90 days</p> <p>90 days</p>

Implementation Plan for Business Licensing

Recommendation	Action	Responsible Party	Time Frame
Adopt a comprehensive business licensing program	Draft legislation adopting a comprehensive business licensing program, using the one adopted in the State of Washington as an example and taking into consideration the business licensing recommendations of the Business Regulatory Reform Commission (BRRC), and adopting a master licensing system, reducing the number of business categories, and including a General Business category to ensure that all businesses in the District are licensed	Office of Corporation Counsel, with assistance from DCRA	30 days
Expand the computerization of the business licensing process	Enact legislation adopting a comprehensive business licensing program, using the one adopted in the State of Washington as an example and taking into consideration the business licensing recommendations of the Business Regulatory Reform Commission (BRRC), and adopting a master licensing system, reducing the number of business categories, and including a General Business category to ensure that all business in the District are licensed	Council	90 days
Expand the use of self-certification programs in the business licensing process	Draft and promulgate regulations and procedures implementing legislation adopting a comprehensive business licensing program	DCRA	90 days
	Enact legislation appropriating sufficient funds to DCRA to implement the changes to the business licensing program	Council	90 days
	Maximize the use of computerized systems in the business licensing process, including the electronic posting of application forms on the Internet and the electronic sharing of information between agencies	DCRA	120 days
	Draft legislation to authorize the use of self-certification programs in the business licensing process by DCRA	Office of Corporation Counsel, with assistance from DCRA	30 days
	Enact legislation to authorize the use of self-certification programs in the business licensing process by DCRA	Council	90 days

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Business Licensing**

Recommendation	Action	Responsible Party	Time Frame
<p>Establish amnesty period to bring noncompliant businesses into compliance</p>	<p>Draft and promulgate regulations and procedures implementing (1) the legislation authorizing the use of self-certification programs in the business licensing process by DCRA and (2) a formalized process for recognition of fictitious names</p> <p>Draft amnesty law</p> <p>Enact amnesty law</p>	<p>DCRA</p> <p>Office of Corporation Counsel</p> <p>Council</p>	<p>90 days</p> <p>30 days</p> <p>90 days</p>



Implementation Plan for Street Vending Regulations

Recommendation	Action	Responsible Party	Time Frame
Examine the costs and benefits of reducing the fee in lieu of taxes assessed against street vendors	Draft legislation reducing, on a 2-year experimental basis, the fee in lieu of taxes for street vendors in neighborhoods (i.e., outside the central downtown area)	Office of Corporation Counsel	30 days
	Enact legislation reducing, on a 2-year experimental basis, the fee in lieu of taxes for street vendors in neighborhoods (i.e., outside the central downtown area)	Council	90 days
	Draft and promulgate regulations and procedures implementing the legislation reducing, on a 2-year experimental basis, the fee in lieu of taxes for street vendors in neighborhoods (i.e., outside the central downtown area)	DCRA	90 days
	Study the costs and benefits of permanently reducing the fee in lieu of taxes	DCRA	90 days
Improve the efficiency of the street-vending permit process	Fairly and consistently enforce the current regulations pertaining to street vending	DCRA	immediately
	Draft legislation expanding the range of items that can be sold by street vendors	Office of Corporation Counsel	30 days
	Enact legislation expanding the range of items that can be sold by street vendors	Council	90 days
	Draft and promulgate regulations and procedures implementing the legislation expanding the range of items that can be sold by street vendors	DCRA	90 days
	Reassess closure of vendor locations around the MCI Center	DPW or MPD	90 days

Implementation Plan for Unemployment Insurance and Workers' Compensation

Recommendation	Action	Responsible Party	Time Frame
Lower the cost to employers of unemployment insurance and workers' compensation	<p>Draft legislation to make the cost to District employers of unemployment insurance and workers' compensation comparable to the costs to employers in the immediately adjacent jurisdictions or support the adoption of Bill 12-192, if it accomplishes this objective</p> <p>Enact legislation to make the cost to District employers of unemployment insurance and workers' compensation comparable to the costs to employers in the immediately adjacent jurisdictions (to be completed if DOES determines that Bill 12-192 does not accomplish this objective)</p> <p>Draft and promulgate regulations and procedures implementing the legislation making the cost to District employers of unemployment insurance and workers' compensation comparable to the costs to employers in the immediately adjacent jurisdictions</p>	<p>Office of Corporation Counsel, with assistance from the Department of Employment Services</p> <p>Council</p> <p>Department of Employment Services</p>	<p>30 days</p> <p>90 days</p> <p>90 days</p>

**DISTRICT OF COLUMBIA REGULATORY REFORM PROJECT**

**Implementation Plan for Privatization, Outsourcing, and Managed Competition**

Recommendation	Action	Responsible Party	Time Frame
Articulate commitment to service delivery approaches	Articulate a clear, strong commitment to service delivery options as part of overall management reform strategy	Authority	30 days
Identify candidates for outsourcing or managed competition from among District functions and services	Assign responsibility for implementation of service delivery options	Authority or Mayor	60 days
	Contract with consultants who prepared operational audits of the District government to identify functions and services of the District government that should be privatized, outsourced, or subject to managed competition	DCRA	90 days
	Fund the study contracts	Council	90 days
	Identify functions and services of each District agency that should be privatized, outsourced, or subject to managed competition	Head of each District agency	90 days
	Review the consultants' reports and the reports of each District agency on which functions and services of the District government should be privatized, outsourced, or subject to managed competition, resolving conflicts as they appear	Mayor and Council	90 days
	Draft legislation privatizing, outsourcing, or subjecting to managed competition the identified District functions and services	Office of Corporation Counsel	30 days
	Enact legislation privatizing, outsourcing, or subjecting to managed competition the identified District functions and services	Council	90 days
	Draft and promulgate regulations and procedures implementing the legislation privatizing, outsourcing, or subjecting to managed competition the identified District functions and services	Affected agencies	90 days

Implementation Plan for Parking

Recommendation	Action	Responsible Party	Time Frame
<p>Require more effective analysis and planning of traffic and parking problems and the replication of the Georgetown Neighborhood Parking Study in other areas in the District that have severe parking and traffic problems</p>	<p>Identify neighborhoods with severe parking problems</p>	<p>Department of Public Works (DPW)</p>	<p>90 days</p>
<p>Require the proposal of legislation to eliminate regulatory obstacles to the implementation of traffic and parking rules</p>	<p>Commission studies to increase the number of parking spaces in those neighborhoods and balance the needs of residents and merchants</p>	<p>DPW</p>	<p>180 days</p>
<p>Require regulatory reform of a temporary parking permit for medical necessity to ensure enough flexibility so that District residents are not denied proper care</p>	<p>Carry out the studies' recommendations where a consensus exists in the neighborhood to do so</p> <p>Draft amendment to the Administrative Procedures Act (APA)</p>	<p>DPW</p> <p>Office of Corporation Counsel (OCC)</p>	<p>180 days</p> <p>90 days</p>
<p>Enact legislation to amend APA</p>	<p>Enact legislation to amend APA</p>	<p>Council</p>	<p>90 days</p>
<p>Draft and publish regulation to revise temporary parking permit rules</p>	<p>Draft and publish regulation to revise temporary parking permit rules</p>	<p>DPW (review by OCC)</p>	<p>90 days</p>
<p>Promulgate regulation</p>	<p>Promulgate regulation</p>	<p>DPW</p>	<p>90-180 days</p>